



MAPBD Points for SB 377

1.) The proposed bills would elevate animal abuse above more serious crimes against people and society. While no one condones animal abuse, establishing this registry would elevate animal abuse above crimes against people such as domestic abuse, child physical abuse, elder abuse and assault - none of which have registries. It would also elevate animal abuse above crimes posing a greater risk to society and with higher rates of recidivism such as drug abuse, drunk driving and arson.

2.) These proposed laws are over reaching. The bills assume that all convicted animal abusers will re-abuse. A significant percentage of animal abuse cases result from either domestic violence or neighbor disputes as acts of vengeance or from acts of hoarding or neglect resulting, not from criminal tendencies, but rather from mental illness. These mental illnesses are better treated within the health community than the penal system. These bills do not differentiate between the acts of wanton animal abusers and misdemeanor neglect that may have a correctible mental health or education component. In 2011, there were 47 cases brought to trial and only 7 felony convictions for animal abuse. These cases represent approximately 0.00047% of Michigan citizens tried and only 0.00007% sentenced to felony conviction. It seems excessive to write legislation for so few cases.

3). These proposed bills are unnecessary, unreasonable, and ineffective. Judges already have full sentencing authority, including terms of probation up to and including life long ineligibility to own an animal. These bills would require anyone moving into the state with any pre-existing abuse conviction to register. How is the new resident to become aware of the existence or requirements of this proposed law? If the purpose is to prevent convicted former abusers from having access to animals, it will be ineffective since only animal control or registered shelters are affected. All the former abuser would have to do would be to go to a retail facility, pet store, private source or auction to obtain an animal or animals. The simplest, safest and least expensive option available to a potential repeat abuse would be to simply trap or lure stray animals or, as was the case with Logan, the bills poster dog, abuse someone else's animal.

4). This registry is not financially viable and no fiscal impact studies have yet been completed on these bills. Similar registries have been proposed in 25 states and were rejected due to expected negative fiscal impact and other considerations. Colorado estimated first year cost to be approximately \$200,000.00 and subsequent annual costs to be about \$46,000.00/year. Michigan has about half the population of Colorado and the costs would be proportionately greater. Using the seven felony convictions for animal abuse in Michigan in 2011, the revenues dedicated to the registry would be only \$1,050.00. Even if the statewide conviction for animal abuse, including local citations for misdemeanors, total was ten times higher, the total revenue would be only \$10,500.00. This number falls far below any estimated annual expense.

5.) These bills, if passed, would effectively punish the organizations, animal control offices and animal shelters, that the bills order to access the proposed registry. With the current over stretching of state agency monies and personnel, returning calls for abuser registry information or updating the public database is not likely be a top priority.. The checking of the registry prior to release of animals to potential new owners could therefore, and likely will, result in, at least, delays in processing. It could also cause out right loss of potential new owners for these animals as people resent and refuse to participate in the clearance process and related release of personal information - including social security numbers - while other sources of animals are available.

6). Most seriously, these bills, as written, present serious civil rights concerns. These proposed bills would allow personal information from the confidential data base to be released to non-bonded, non-law enforcement persons on mere suspicion of possible abuse or the attempt to acquire an animal from a shelter or animal control. They allow the release of this personal information to any animal control or shelter personnel involved in the release of any animal to a potential new owner. Some animal control facilities use work release prisoners for menial tasks. It is impossible to guaranty that confidential information will never be left where these persons could access it. The release of confidential and personal information to non-bonded non-professionals risks misuse of the information including identity theft and harassment. The likely delay in checking the registry and the risks involved will complicate and discourage the acquisition of animals from these sources.

7). There are better places for the state to invest the time and money resources available. In the last ten days, two school districts and the major city in the state have applied for bankruptcy and still more operate under Emergency Financial Managers. The state has chronically high unemployment with its related cost (unemployment insurance, welfare, housing

and health care assistance, etc.). The state loses skilled crafts persons and college graduates, who unable to find employment, leave the state, taking with them their potential input to the state economy. People are losing the value of their major financial investment, their homes. I recently attempted to refinance my own house. It was appraised at less than half of the purchase cost, less than half of the township tax appraisal, and less than one third of the replacement cost. My house is 11 years old. The resulting lack of ability to refinance will cost me \$400.00 to \$500.00 per month for the next fifteen to twenty years or approximately \$100,000.00! This is, to me, a lot of money and a problem on a retirement income. Even more importantly, from the state's point of view, this is \$100,00.00 that will not be entering the Michigan economy. It will be sent to a bank in Ohio.

These are the type of state problems I had in mind when I voted and effectively hired my state legislators.

While no one condones animal abuse and the basis for these bills may be well-intentioned, they do not represent sound, reasonable policy for Michigan. I (we) respectfully request that these bills not be advanced out of this committee.

Thank you.

MAPBD